



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB Case No. 02-742-E; 400/130)

PATENT

1 FW

In the Application of:

McSwiggen et al.

Serial No.: 10/664,668

Filing Date: September 18, 2003

For: RNA Interference of Mediated Inhibition  
Of Vascular Endothelial Growth Factor  
And Vascular Endothelial Growth Factor  
Receptor Gene Expression Using Short  
Interfering Nucleic Acid (siNA)

Examiner: TBA

Group Art Unit: TBA

Confirmation No. 5711

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☒ Information Disclosure Statement;
- ☒ Information Disclosure Statement (IDS) PTO-1449 Form;
- ☒ Copies of IDS Citations for S/N 10/664,668 (Total 67 foreign patents and 249 other documents); and
- ☒ Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on July 20 2004.

By:

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the cited references are enclosed. These references are also listed on the enclosed PTO Form 1449.

The Office has waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. In accordance with this waiver, cited U.S. patents and U.S. patent application publications are not enclosed.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

**Patent Applications**

**The PTO did not receive the following  
listed Item(s) reference marked as "\*"  
is missing**

- \* Hoffman et al., U.S. Serial No. 09/226,044, filed January 5, 1999
- \* Matulic-Adamic et al., U.S. Serial No. 10/151,116, filed May 17, 2002
- \* Vargeese et al., U.S. Serial No. 10/201,394, filed August 13, 2001
- \* Pavco et al., U.S. Serial No. 10/287,949, filed November 4, 2002
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- \* Vargeese et al., U.S. Serial No. 10/427,160, filed April 30, 2003
- \* Pavco et al., U.S. Serial No. 10/438,493, filed May 15, 2003
- \* McSwiggen et al., U.S. Serial No. 10/444,853, filed May 23, 2003
- \* McSwiggen et al., U.S. Serial No. 10/664,668, filed September 18, 2003
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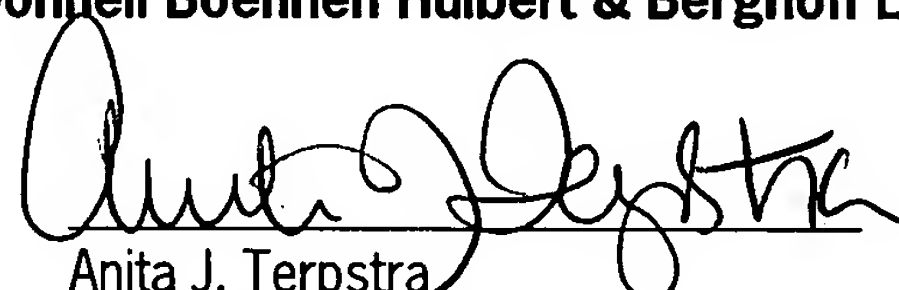


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Group:

U.S. PATENT APPLICATION DOCUMENTS

Examiner Initial		Document Number	Filing Date	Name	Class	Subclass	Publication Date if Appropriate
	*	09/226,044	07/12/01	Hoffman et al.			
	*	10/151,116	05/17/02	Matulic-Adamic et al.			
	*	10/201,394	08/13/01	Vargeese et al.			
	*	10/287,949	11/04/02	Pavco			
	*	10/306,747	11/27/02	Pavco			
	*	10/427,160	04/30/03	Vargeese et al.			
	*	10/438,493	05/15/03	Pavco et al.			
	*	10/444,853	05/23/03	McSwiggen et al.			
	*	10/664,668	09/16/03	McSwiggen et al.			
	*	10/664,767	09/16/03	McSwiggen et al.			
	*	10/665,255	09/16/03	McSwiggen et al.			
	*	10/665,951	09/16/03	McSwiggen et al.			
	*	10/670,011	09/23/03	McSwiggen et al.			
	*	10/693,059	10/23/03	McSwiggen et al.			
	*	10/712,633	11/13/03	McSwiggen et al.			
	*	10/720,448	11/24/03	McSwiggen et al.			

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**FORM PTO-1449**  
**(Rev. 2-32)**

**U.S. Department of Commerce**  
**Patent and Trademark Office**

**Atty. Docket No.**

02-742-E  
(400/130)

**Serial No.**

10/664,668

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

**Applicant:**

McSwiggen et al.

**Filing Date:**

September 18, 2003

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	*	10/727,780	12/03/03	Vaish et al.			
	*	10/757,803	01/14/04	McSwiggen et al.			
	*	10/758,155	01/12/04	McSwiggen et al.			
	*	10/764,957	01/26/04	McSwiggen et al.			
	*	10/831,620	04/23/04	McSwiggen et al.			
	*	2001/0007666	07/12/01	Hoffman et al.			
	*	2002/0130430	09/19/02	Castor			
	*	2004/0037780	02/06/04	Parsons et al.			
	*	60/082,404	04/20/98	Thomson et al.			
	*	60/334,461	11/30/01	Pavco			
	*	60/358,580	02/20/02	Beigelman et al.			
	*	60/363,124	03/11/02	Beigelman et al.			
	*	60/386,782	06/06/02	Beigelman et al.			
	*	60/393,796	07/03/02	McSwiggen et al.			
	*	60/399,348	07/29/02	McSwiggen et al.			
	*	60/402,996	08/13/02	Usman et al.			
	*	60/406,784	08/29/02	Beigelman et al.			
	*	60/408,378	09/05/02	Beigelman et al.			
	*	60/409,293	09/09/02	Beigelman et al.			

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	*	60/440,129	01/15/03	Beigelman et al.			
	*	60/543,480	02/10/04	Jadhav et al.			

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Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	*	4,501,729	02/26/85	Boucher et al.			
	*	5,138,045	08/11/92	Cook et al.			
	*	5,214,136	05/25/93	Lin et al.			
	*	5,334,711	08/02/94	Sproat et al.			
	*	5,624,803	04/29/97	Noonberg et al.			
	*	5,627,053	05/06/97	Usman et al.			
	*	5,631,360	05/20/97	Usman et al.			
	*	5,670,633	09/23/97	Cook et al.			
	*	5,672,695	09/30/97	Eckstein et al.			
	*	5,716,824	02/10/98	Beigelman et al.			
	*	5,792,847	08/11/98	Buhr et al.			
	*	5,804,683	09/08/98	Usman et al.			
	*	5,814,620	09/29/98	Robinson et al.			

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	*	5,831,071	11/03/98	Usman et al.			
	*	5,854,038	12/29/98	Sullenger et al.			
	*	5,889,136	03/30/99	Scaringe et al.			
	*	5,898,031	04/27/99	Crooke			
	*	5,902,880	05/11/99	Thompson			
	*	5,998,203	12/07/99	Adamic et al.			
	*	6,001,311	12/14/99	Brennen			
	*	6,005,087	12/21/99	Cook et al.			
	*	6,008,400	12/28/99	Scaringe et al.			
	*	6,054,576	04/25/00	Bellon et al.			
	*	6,107,094	08/22/00	Crooke			
	*	6,111,086	08/29/00	Scaringe et al.			
	*	6,117,657	09/12/00	Usman et al.			
	*	6,146,886	11/14/00	Thompson et al.			
	*	6,153,737	11/28/00	Manoharan et al.			
	*	6,162,909	12/19/00	Bellon et al.			
	*	6,180,613	01/30/01	Kaplitt et al.			
	*	6,235,310	05/22/01	Wang et al.			
	*	6,248,878	06/19/01	Matulic-Adamic et al.			

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	*	6,300,074	10/09/01	Gold et al.			
	*	6,303,773	10/16/01	Bellon et al.			
	*	6,335,434	01/01/02	Guzaev et al.			
	*	6,353,098	03/05/02	Usman et al.			
	*	6,362,323	03/26/01	Usman et al.			
	*	6,395,713	05/28/02	Beigelman et al.			
	*	6,437,117	08/20/02	Usman et al.			
	*	6,447,796	09/10/02	Vook et al.			
	*	6,469,158	10/22/02	Usman et al.			
	*	6,476,205	11/05/02	Buhr et al.			
	*	6,506,559	01/14/03	Fire et al.			
	*	6,528,631	03/04/03	Cook et al.			
	*	6,565,885	05/20/03	Tarara et al.			
	*	6,582,728	06/24/03	Platz et al.			
	*	6,586,524	07/01/03	Sagara			
	*	6,592,904	07/15/03	Platz et al.			

FOREIGN PATENT DOCUMENTS

							Translation
		Document	Date	Country	Class	Subclass	

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		Number						
							Yes	No
*	1.	4037501	08/03/00	AU (Kreutzer et al.)				
	2.	2,359,180	08/03/00	CA (Kreutzer et al.)				
	3.	1144623	08/03/00	EP (Kreutzer et al.)				
	4.	89/02439	03/23/89	WO (Arnold et al.)				
	5.	90/14090	11/29/90	WO (Gillespie et al.)				
	6.	91/03162	03/21/91	WO (Rossi et al.)				
	7.	92/07065	04/30/92	WO (Eckstein et al.)				
	8.	93/15187	08/05/93	WO (Usman et al.)				
	9.	93/23569	11/25/93	WO (Draper et al.)				
/	10.	94/02595	02/03/94	WO (Sullivan et al.)				
	11.	94/01550	01/20/94	WO (Agrawal et al.)				
	12.	95/06731	03/09/95	WO (Usman et al.)				
	13.	95/11910	05/04/95	WO (Dudycz et al.)				
	14.	96/10390	04/11/96	WO (Ansell et al.)				
	15.	96/10391	04/11/96	WO (Choi et al.)				
/	16.	96/10392	04/11/96	WO (Holland et al.)				
/	17.	96/18736	06/20/96	WO (Beigelman et al.)				
/	18.	97/26270	07/24/97	WO (Wincott et al.)				

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✓	19.	98/13526	04/02/98	WO (Woolf et al.)				
✓	20.	99/07409	02/18/99	WO (Deschamps de Paillette et al.)				
✓	21.	99/14226	03/25/99	WO (Wengel et al.)				
✓	22.	99/31262	06/24/99	WO (Barry et al.)				
✓	23.	99/32619	07/01/99	WO (Fire et al.)				
✓	24.	99/49029	09/30/99	WO (Graham et al.)				
✓	25.	99/53050	10/21/99	WO (Waterhouse et al.)				
✓	26.	99/54459	10/28/99	WO (Thompson et al.)				
✓	27.	99/61631	12/02/99	WO (Heifetz et al.)				
✓	28.	00/01846	01/13/00	WO (Plaetinck et al.)				
✓	29.	00/44895	08/03/00	WO (Kreutzer et al.)				
✓	30.	00/44914	08/03/00	WO (Li et al. )				
✓	31.	00/49035	08/24/00	WO (Sheen)				
✓	32.	00/53722	09/14/00	WO (O'Hare et al.)				
✓	33.	00/63364	10/26/00	WO (Pachuk et al.)				
✓	34.	00/66604	11/09/00	WO (Wengel et al.)				
✓	35.	01/04313	01/18/01	WO (Satishchandran et al.)				
✓	36.	01/29058	04/26/01	WO (Mello et al.)				
✓	37.	01/36646	05/25/01	WO (Zernicka-Goetz et al.)				

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✓	38.	01/38551	05/31/01	WO (Grossniklaus et al.)				
✓	39.	01/42443	06/14/01	WO (Churikov et al.)				
✓	40.	01/49844	07/12/01	WO (Driscoll et al.)				
✓	41.	01/53475	07/26/01	WO (Cogoni et al.)				
	42.	01/68836	09/20/01	WO (Beach et al.)				
	43.	01/70944	09/27/01	WO (Honer et al.)				
	44.	01/70949	09/27/01	WO (Graham et al.)				
	45.	01/72774	10/04/01	WO (Deak et al.)				
	46.	01/75164	10/11/01	WO (Tuschl et al.)				
	47.	01/92513	12/06/01	WO (Arndt et al.)				
	48.	01/96584	12/20/01	WO (Mushegian et al.)				
	49.	02/055692	07/18/02	WO (Kreutzer et al.)				
	50.	02/055693	07/18/02	WO (Kreutzer et al.)				
	51.	02/22636	03/21/02	WO (Bennett et al.)				
	52.	02/38805	05/15/02	WO (Echeverri et al.)				
	53.	02/44321	06/06/02	WO (Tuschl et al.)				
	54.	02/096927	12/05/02	WO (Pavco)				
	55.	03/24420	03/27/03	WO (Alheim et al.)				
	56.	03/46185	06/05/03	WO (Wang et al.)				

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	57.	03/47518	06/12/03	WO (Wang et al.)				
	58.	PCT/US02/15876	05/20/02	Beigelman et al.				
	59.	PCT/US02/17674	05/29/02	WO (Pavco et al.)				
	60.	PCT/US03/05022	02/20/03	WO (McSwiggen et al.)				
	61.	PCT/US03/05028	02/20/03	McSwiggen et al.				
	62.	PCT/US03/05346	02/20/03	McSwiggen et al.				
	63.	WO 03/064625	02/03/03	WO (Woolf et al.)				
	64.	WO 03/064626	02/03/03	WO (Woolf et al.)				
	65.	WO 03/030989	04/17/03	WO (Behar et al.)				
	66.	WO 03/043689	05/03/03	WO (Behar et al.)				
	67.	WO 04/013280	05/26/03	WO (Davidson et al.)				

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	68.	Adah et al., "Chemistry and Biochemistry of 2',5'-Oligoadenylate-Based Antisense Strategy," <i>Current Medicinal Chemistry</i> , 8, 1189-1212 (2001)
	69.	Aiello et al., "Vascular Endothelial Growth Factor in Ocular Fluid of Patients with Diabetic Retinopathy and Other Retinal Disorders," <i>The New England Journal of Medicine</i> 331(22):1480-1487 (1994)
	70.	Akhtar and Juliano, "Cellular Uptake and Intracellular Fate of AntiSense Oligonucleotides," <i>Trends Cell Biol.</i> 2:139-144 (1992)
	71.	Aldrian-Herrada et al., "A peptide nucleic acid (PNA) is more rapidly internalized in cultured neurons when coupled to a retro-inverso delivery peptide. The antisense activity depresses the target mRNA and protein in magnocellular oxytocin neurons," <i>Nucleic Acids Research</i> 26:4910-4916 (1998)

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72.	Allshire, "RNAi and Heterochromatin - A Hushed-up Affair," <i>Science</i> 297:1818-1819 (2002)
73.	Andrews and Faller, "A rapid micropreparation technique for extraction of DNA-binding proteins from limiting numbers of mammalian cells," <i>Nucleic Acids Research</i> 19:2499 (1991)
74.	Autiero et al., "Role of PlGF in the intra- and intermolecular cross talk between the VEGF receptors Flt1 and Flk1," <i>Nature Medicine</i> , 9:936-943 (2003)
75.	Baenziger and Fiete, "Galactose and N-Acetylgalactosamine-Specific Endocytosis of Glycopeptides by Isolated Rat Hepatocytes," <i>Cell</i> 22:611-620 (1980)
76.	Bahramian et al., "Transcriptional and Posttranscriptional Silencing of Rodent $\alpha 1(I)$ Collagen by a Homologous Transcriptionally Self-Silenced Transgene," <i>Molecular and Cellular Biology</i> , 274-283 (1999)
77.	Bannai et al., "Effect of Injection of Antisense of Oligodeoxynucleotides of GAD Isozymes into Rat Ventromedial Hypothalamus on Food Intake and Locomotor Activity," <i>Brain Research</i> 784:305-315 (1998)
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79.	Bass, "The short answer," <i>Nature</i> 411:428-429 (2001)
80.	Bass, "Double-Stranded RNA as a Template for Gene Silencing," <i>Cell</i> , 101, 235-238 (2000)
81.	Beaucage and Iyer, "The Functionalization of Oligonucleotides Via Phosphoramidite Derivatives," <i>Tetrahedron</i> 49:1925-1963 (1993)
82.	Beigelman et al., "Chemical Modification of Hammerhead Ribozymes," <i>The Journal of Biological Chemistry</i> 270:25702-25708 (1995)
83.	Bellon et al., "Amino-Linked Ribozymes: Post-Synthetic Conjugation of Half-Ribozymes," <i>Nucleosides &amp; Nucleotides</i> 16:951-954 (1997)
84.	Bellon et al., "Post-synthetically Ligated Ribozymes: An Alternative Approach to Iterative Solid Phase Synthesis," <i>Bioconjugate Chem.</i> 8:204-212 (1997)

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85.	Berkman et al., "Expression of the Vascular Permeability Factor/Vascular Endothelial Growth Factor Gene in Central Nervous System Neoplasms," <i>The Journal of Clinical Investigation</i> , Inc. 91:153-159 (1993)
86.	Bernstein et al., "Role for a Bidentate Ribonuclease in the Initiation Step of RNA Interference," <i>Nature</i> 409:363-366 (2001)
87.	Bettinger et al., "Size Reduction of Galactosylated PEI/DNA Complexes Improves Lectin-Mediated Gene Transfer into Hepatocytes," <i>Bioconjugate Chem.</i> , 10, 558-561 (1999)
88.	Boado et al., "Drug Delivery of Antisense Molecules to the Brain for Treatment of Alzheimer's Disease and Cerebral AIDS," <i>Journal of Pharmaceutical Sciences</i> 87:1308-1315 (1998)
89.	Boado, "Antisense drug delivery through the blood-brain barrier," <i>Advanced Drug Delivery Reviews</i> 15:73-107 (1995)
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92.	Brody and Gold, "Aptamers as therapeutic and diagnostic agents," <i>Reviews in Molecular Biotechnology</i> 74:5-13 (2000)
93.	Burger et al., "Experimental Corneal Neovascularization: Biomicroscopic, Angiographic, and Morphologic Correlation," <i>Cornea</i> 4:35-41 (1985/1986)
94.	Burgin et al., "Chemically Modified Hammerhead Ribozymes with Improved Catalytic Rates," <i>Biochemistry</i> 35:14090-14097 (1996) (volume no. mistakenly listed as 6)
95.	Burlina et al., "Chemical Engineering of RNase Resistant and Catalytically Active Hammerhead Ribozymes," <i>Bioorganic &amp; Medicinal Chemistry</i> 5:1999-2010 (1997)

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